


1-10-1838

Unsigned letter to John Prince from the Massachusetts Supreme Judicial Court, January 10, 1838

Massachusetts. Supreme Judicial Court

Follow this and additional works at: http://lawdigitalcommons.bc.edu/rbr_shaw

 Part of the [Legal Commons](#), [Legal History, Theory and Process Commons](#), and the [United States History Commons](#)

Digital Commons Citation

Massachusetts. Supreme Judicial Court, "Unsigned letter to John Prince from the Massachusetts Supreme Judicial Court, January 10, 1838" (1838). *The Correspondence of Lemuel Shaw*. Paper 4.
http://lawdigitalcommons.bc.edu/rbr_shaw/4

This Article is brought to you for free and open access by the Daniel R. Coquillette Rare Book Room at Digital Commons @ Boston College Law School. It has been accepted for inclusion in The Correspondence of Lemuel Shaw by an authorized administrator of Digital Commons @ Boston College Law School. For more information, please contact nick.szydowski@bc.edu.

Boston 10 Jan. 1838

Dear Sir, It has become my duty in behalf
of all the members of the Court, to inform you
that they have perceived with misgiving
pain & regret, indications not to be mistaken,
that you have ^{fallen} into the pernicious
practice of indulging to excess in the use of
alcohol; and ~~they~~ ^{they} reluctantly, they have ^{fully} come
to the conviction, that unless you conform an in-
stant resolution to abstain entirely from this most
dangerous indulgence, ~~you~~ in it with
irreversible determination, that you must soon
be condemned as disqualified ~~from~~ ^{to} perform
any of the high duties & important trusts, belonging
to your office. The Court are bound by a high sense
of duty, to see that, an office in which the public have
so deep an interest should be executed by one entitled
there in all respects to trust and confidence. I
cannot ^{permit myself to do} doubt that it is still in your power by a
prompt & firm resolution, to remain at once

and form the services, particularly which you
health, your capacity, regularity and hope-
fulness, are all put in jeopardy. In answer my
Obedience, that their suggestions are made in
a spirit of the warmest kindness, respect, &
with a most earnest hope, that they may be accepted
and accepted in the spirit in which they are intended;
nothing would give us more heart-felt pleasure
than to learn that they have produced the desired
effect. This communication is unknown to any
individual, except the privy members of the Comtee
in whose name one of whom signed it is addressed
to you, & it may remain entirely confidential. I
shall endeavor to supervise in a house not my
own, to avoid any discussion which might be made
on the subject. In the warmest & warmest hope, that this
appeal so kindly intended, will be warmly, & by far
to submit myself, as your old, true, & ever
affectionate friend,

Boston 10 Jan. 1838

Dear Sir,

It has become my duty in behalf of all the members of the court, to inform you that they have perceived with inexplicable power & regret indications not to be mistaken, that you have lately fallen into the pernicious practice of indulging to excess in the use of *ardent* spirit; and ~~they~~ reluctantly, they have full come to the conviction, that unless you can form an instant resolution to abstain ~~actively~~ ^{entirely} from this most dangerous indulgence, & persist in it with inflexible determination, that you must soon be considered as disqualified for the longer performance of the high duties & important trusts, belonging to your office. The courts are bound by a high sense of duty, *To the* [end] that, an office in which the public has so deep an interest, *should be* ~~be~~ executed by one entitled in all respects to trust and confidence to them. I cannot permit myself to doubt that it is still in your power by a prompt & resolution, to ~~remain~~ ^{Remove [?]} at once and *forever* the pernicious practice by which your health suffers, your capacity, respectability and happiness, are ^{all} put in jeopardy. *Be assured my* Dear friend, that these suggestions are made in a spirit of the ^{greatest} ~~utmost~~ kindness & *Affection*, & with a most ^{earnest [?]} hope, that they may be accepted and accepted in the spirit in which they are intended; nothing would give us more heart-felt pleasure than to learn, that they have produced the desired effect. This communication is unknown to any individual, except the five members of the court in whose name and at whose request it is addressed to you, & it may remain ^{entirely} ~~intensely~~ confidential. I shall even have it ^{Superscribed} ~~subscribed~~ in a hand not my own, to avoid any ^{promise} ~~promise~~ which might be made *on the subject*.

Boston Jan. 1838

In the earnest & sincere hope, that this appeal so kindly intended, will not be, I beg leave to subscribe to which myself, as your old & very

friend, it has become my duty in behalf of the members of the

court, to inform you that they have perceived with inexplicable

power & regret indications not to be mistaken, that you have

lately fallen into the pernicious practice of indulging to

excess in the use of ~~excessive~~ spirit; and they reluctantly, they

have full come to the conviction, that unless you can form an

instant resolution to abstain ~~actively~~ from this most dangerous

indulgence, & persist in it with inflexible determination, that

you must soon be considered as disqualified for the longer

performance of the high duties & important trusts, belonging to

your office. The courts are bound by a high sense of duty, &

that, an office in which the public has so deep an

interest, ~~should~~ be executed by one entitled in all respects

to trust and confidence to them. I cannot permit myself to

doubt that it is still in your power by a prompt &

resolution, to ~~remain~~ at once and ~~break~~ the pernicious practice

by which your health suffers, your capacity, respectability

and happiness, are put in jeopardy. In ~~reference~~ my Dear friend,

that these suggestions are made in a spirit of the ~~most~~ kindness &

hope, that they may be accepted

and accepted in the spirit in which they are intended; nothing

would give us more heart-felt pleasure than to learn, that they have

produced the desired effect. This communication is unknown to any

individual, except the five members of the court in whose name and at

whose request it is addressed to you, & it may remain ~~intensely~~

confidential. I shall even have it ~~written~~ in a hand not my

own, to avoid any ~~promise~~ which might be made on the subject.

[Letter 4: 10 January 1838 to John Prince from unsigned member(s) of SJC]

Boston 10 Jan. 1838

Dear Sir,

It has become my duty in behalf of all the members of the Court, to inform you that they have perceived with inexpressible pain & regret, indications not to be mistaken, that you have lately fallen into the pernicious practice of indulging to excess in the use of ardent spirit; and ~~they~~ reluctantly, they have [fully] come to the conviction, that unless you can form an instant resolution to abstain entirely from this most dangerous indulgence, & persist in it with inflexible determination, that you must soon be considered as disqualified for the longer performance of the high duties & important trusts, belonging to your office. The court are bound by a high sense of duty, to [the end] that, an office in which the public has so deep an interest, should be executed by one entitled in all respects to trust and confidence to them. I cannot permit myself to doubt that it is still in your power by a prompt & [] resolution, to renounce at once

[page 2]

and forever the pernicious practice by which your health suffers, your capacity, respectability and happiness, are all put in jeopardy. Be assured my Dear friend, that these suggestions are made in a spirit of the warmest kindness & affection, & with a most earnest hope that they may be accepted and accepted in the spirit in which they are intended; nothing would give us more heart-felt pleasure than to learn, that they have produced the desired effect. This communication is unknown to any individual, except the five members of the Court in whose name and at whose request it is addressed to you, & it may remain entirely confidential. I shall even have it superscribed in a hand not my own, to avoid any surmise which might be made on the subject. In the earnest & sincere hope that this appeal so kindly intended, will not be [unseemly], I beg leave to subscribe myself, as your old, & very [warm] friend,